



TTAB

04-03-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #64

THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

AMERICAN RICE INC.,

Petitioner

v.

DUNMORE PROPERTIES, S.A.

Registrant

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)
) Cancellation No. 92/041,652
) (Registration No. 2,532,912)
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ANSWER

Registrant, Dunmore Properties, S.A., by and through its undersigned counsel, hereby answers the Petition for Cancellation as follows:

- 1) Registrant admits that Reg. No. 2,532,912 issued in Class 30 for the trademark BINT ALARAB, but Registrant denies the remaining allegations of paragraph 1 of the Petition.
- 2) Registrant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations of paragraph 2 of the Petition, and therefore denies same.
- 3) Registrant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations of paragraph 3 of the Petition, and therefore denies same.
- 4) Registrant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations of paragraph 4 of the Petition, and therefore denies same.
- 5) Registrant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations of paragraph 5 of the Petition, and therefore denies same.
- 6) Applicant denies the allegations of paragraph 6 of the Petition.
- 7) Registrant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations of paragraph 7 of the Petition, and therefore denies same.

- 8) Registrant denies the allegations of paragraph 8 of the Petition and demands strict proof thereof.
- 9) Registrant denies the allegations of paragraph 9 of the Petition and demands strict proof thereof.
- 10) Registrant denies the allegations of paragraph 10 of the Petition and demands strict proof thereof.
- 11) Registrant denies the allegations of paragraph 11 of the Petition and demands strict proof thereof.
- 12) Registrant denies the allegations of paragraph 12 of the Petition and demands strict proof thereof.
- 13) Registrant denies the allegations of paragraph 13 of the Petition and demands strict proof thereof.
- 14) Registrant admits the allegations of paragraph 14 of the Petition.
- 15) Registrant denies the allegations of paragraph 15 of the Petition and demands strict proof thereof.
- 16) Registrant denies the allegations of paragraph 16 of the Petition and demands strict proof thereof.

AFFIRMATIVE DEFENSES

- 17) The Petition for Cancellation fails to state a claim upon which relief can be granted.
- 18) There is absolutely no likelihood of confusion between Registrant's BINT ALARAB trademark and Petitioner's pleaded ABU BINT trademark.
- 19) Petitioner's pleaded ABU BINT trademark is not famous and is not diluted as a result of Registrant's use of its BINT ALARAB trademark.
- 20) Petitioner's ABU BINT trademark did not become famous prior to June 8, 1998.

WHEREFORE, Registrant prays that the Petition for Cancellation be dismissed with prejudice.

Respectfully submitted,

DUNMORE PROPERTIES, S.A.

By: 

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Answer was served via first class mail, postage prepaid, upon counsel for Petitioner

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this 3rd day of April, 2003.

